

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

MAR 21 2023

FOR THE NINTH CIRCUIT

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

HUNG DANG,

No. 22-35834

Plaintiff-Appellant,

D.C. No. 3:21-cv-05544-RJB

v.

MEMORANDUM*

MARK JOHNSON, MQAC member; et al.,

Defendants-Appellees,

and

KIMBERLY MOORE, M.D.; et al.,

Defendants.

Appeal from the United States District Court
for the Western District of Washington
Robert J. Bryan, District Judge, Presiding

Submitted March 14, 2023**

Before: SILVERMAN, SUNG, and SANCHEZ, Circuit Judges.

Hung Dang appeals pro se from the district court's interlocutory order

* This disposition is not appropriate for publication and is not precedent except as provided by Ninth Circuit Rule 36-3.

** The panel unanimously concludes this case is suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

denying his motion for a preliminary injunction in his 42 U.S.C. § 1983 action challenging the Washington Medical Commission's issuance of an amended final order. We have jurisdiction under 28 U.S.C. § 1292(a)(1). We review for an abuse of discretion. *All. for the Wild Rockies v. Pena*, 865 F.3d 1211, 1216-17 (9th Cir. 2017). We affirm.

The district court did not err in denying Dang's motion for a preliminary injunction because Dang did not show that he is likely to suffer irreparable harm in the absence of preliminary relief, that the balance of equities tips in his favor, or that an injunction is in the public interest. *See id.* (stating requirements for injunctive relief)¹ (citation and internal quotation marks omitted).

AFFIRMED.

¹ We express no opinion on the district court's conclusion that Dang failed to demonstrate that he was likely to succeed on the merits or that there were serious questions going to the merits of his claims.